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U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

December 3, 2020

BY ECF

Honorable Gregory H. Woods United States District Judge Southern District of New York 500 Pearl Street New York, New York 10007

Re: United States v. Ethan Phelan Melzer, 20 Cr. 314 (GHW)

Dear Judge Woods:

The parties jointly request an adjournment of the December 9, 2020 status conference to a date convenient for Court approximately 60 days from now. The parties have conferred, and the Government understands that defense counsel requires additional time to review the discovery. This discovery includes a substantial volume of unclassified discovery and some classified discovery, which the Government has only been able to produce to the defense recently, after defense counsel received the appropriate security clearances. In light of the additional difficulties presented by the COVID-19 pandemic for the defense's review of discovery, including the classified discovery, which must be stored at a secure facility in the courthouse, the Government does not object to a 60-day adjournment of the conference date.

If the Court grants the adjournment request, the Government further requests that time be excluded in the interests of justice under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from December 9, 2020 until the date set for the conference in order to provide the defendants with additional time to review the voluminous discovery and consider the need for any potential pretrial motions. The defendant, through counsel, has consented to the exclusion of time. The Government is also submitting a proposed Order as to the exclusion of time under the Speedy Trial Act in Adobe PDF format on ECF, attached as Exhibit A, and in Microsoft Word format by email.

By:

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

/s/
Samuel Adelsberg / Matthew Hellman
/ Sidhardha Kamaraju
Assistant United States Attorneys
Tel: (212) 637-2494/2278/6523

UNITED STATES DISTRICT COURT

Revised: March 13, 2017

SOUTHERN DISTRICT OF NEW YORK	V
UNITED STATES OF AMERICA,	: : :
	: 1:20-cr-314-GHW
- v -	: <u>ORDER</u> :
ETHAN PHELAN MELZER, a/k/a "Etil Reggad,"	: : :
Defendant 	:
GREGORY H. WOODS, United States District Ju	ıdge:
Upon the application of the United	States of America, by and through AUDREY
STRAUSS, Acting United States Attorney for the S	outhern District of New York, SAMUEL
ADELSBERG, MATTHEW HELLMAN, and SII	DHARDHA KAMARAJU, Assistant United
States Attorneys, of counsel, and with the consent of	of ETHAN PHELAN MELZER, a/k/a "Etil
Reggad," by and through his attorneys, JENNIFEF	R WILLIS, ESQ., and JONATHAN
MARVINNY, ESQ., this Court ordered on	that the conference in this case
scheduled for December 9, 2020 be rescheduled to	occur on
The Court finds that the ends of just	stice served by granting a continuance outweigh
the best interest of the public and the defendant in	a speedy trial because it will permit the
defendant and his counsel to review discovery and	consider the need for any potential pretrial
motions. Accordingly, it is ORDERED that the tin	ne from December 9, 2020 through
is hereby excluded	

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under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).	
SO ORDERED.	
Dated: New York, New York	
,	GREGORY H. WOODS United States District Judge